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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,612	05/11/2001	Shuntaro Aratani	35.C15346	5348

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EXAMINER

YENKE, BRIAN P

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/852,612

Applicant(s)

ARATANI ET AL.

Examiner

BRIAN P. YENKE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE/Amendment (22 Aug 06).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 Aug 06 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 22 Aug 06 have been fully considered but they are not persuasive.

#### ***Applicant's Arguments***

a) Applicant states that since Hare does not disclose a remote controller, Hare cannot disclose/suggest the features of the invention. Applicants states that the PC 2 effects the change-over of the display in accordance with a signal from the TV receive control device or extender 26, thus does not disclose receiving control data from a remote controller.

b) Applicant states that Perkes fails to disclose or suggest the features of the invention, wherein a display apparatus control data sent by a remote controller and having a control unit which changes an operation mode of the display to one of a first mode and second mode based on the received control data...

***Examiner's Response***

a) The examiner agrees as stated in the rejection that Hare does not explicitly recite the terms "remote controller". Hare discloses a "remote extender 26" which includes buttons/functions which control the mode/state/connection of the system. The examiner agrees with the applicant that the change over is effected in accordance with a signal received from "remote extender 26".

b) The examiner agrees that Perkes does not anticipate the claimed invention, however Perkes was only incorporated to show evidence of prior art which explicitly used the phrase "remote control" in controlling a TV and/or computer system/signals.

The examiner upon further review of the applicant's specification and the art of record has made the following rejection. It is noted that the applicant's specification recites the plug-and-play features of the USB interface (page 7), which is also the interface/connection used in Hare.

In the even the applicant disagrees, the examiner would like the applicant to clarify the invention in how it is patentable over a USB (or 1394) interface since multiple references have been cited which allows a TV display to display a TV signal and/or PC signal, in addition to a TV which can select via user, control over the PC from another TV location.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3a. Claim 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hare et al., US 6,084,638 in view of Perkes, US 6,373,503.

In considering claims 1-4,

*a) the claimed a receiving unit...* is met by the TV receiver 4 and PC 2 which receives a signal from remote extender 26.

*b) the claimed display unit* is met by TV receiver display 4 (Fig 1) which includes a tuner

*c) the claimed connecting unit...* is met where the TV receiver incorporates a device which receives user command and pointing device input data and couples that input data to the PC via an available radio frequency transmission channel which may be wireless or utilize existing wiring such as the AC wiring within a house (col 2, line 25-38, col 6, line 40-63, Fig 1)

*d,e,f) the claimed control unit* is met where based upon the users desired selection via input interface extender 26, the display may be the video/audio from a remote PC (i.e.

videoconferencing, games) or the video/audio of a TV channel, where one mode would be the PC and another mode would be the TV reception. The user can control the TV through a variety of user interface devices including keyboard, mouse, joystick via an user interface extender 26 (col 10, line 12-27). Hare also discloses the PC and TV signal can be displayed in a PIP format, preferably when an embedded address is available for extraction (related data via the PC) from the TV signal, by indicating when the PC receives the related data (col 5, line 10-35). Hare also discloses that TV 4 may be used for videoconferencing to display the video obtained from PC 2

(e.g. the internet, public switched telephone network (col 11, line 46-59) and also the TV 4 may be used to play games that are located on PC 2.

Hare discloses a system where a TV and a PC (remotely located from the TV) can both be controlled via user control, where the PC signal (audio/video) may also be displayed on the TV unit, in addition to the user controlling operation of the PC from a remote location. Hare also discloses that the transmission of the signals may be wired or wireless (RF, microwave and IR) and guided transmission media which utilize either dedicated or multi-use transmission lines (e.g. parallel conductor, twisted pair and coaxial cable lines) and/or optical fiber lines (col 6, line 40-63).

Hare also discloses that in the event that the user desires to use the PC at the TV receiver 4, the user may activate a button, where the PC receives the instruction from the user and microcontroller 35 provides a signal to PC 2 or activates a switch which restores PC to active operation from a sleep mode or powered off condition.

Hare discloses the conventional USB standard where both the TV includes USB 26/63 (Fig 1b/c) and where the PC room has a USB connector 30 (Fig 1a).

Hare discloses that (col 7, line 21-31) that the USB transmission protocol is an open standard which permits new input systems to be added as they become available.

However, Hare does not explicitly recite "a remote controller". Although the words "remote controller" are not explicitly recited, the concept of a TV control device with buttons and a remote interface 26 certainly perform the same functions. Hare does disclose a remote interface extender 26 which can be activated to vary the operational state of the PC (col 9, line 29-38), where the user interface includes a keyboard, mouse, joystick, and activating device (e.g.

pushbutton switch) which is used to select the desired mode. When the user located within viewing distance of the TV receiver 4 at a location remote from the PC 2 desires to use PC 2, the user may activate a function button located on interface extender 26 (Fig 1c, col 10, line 13-27). Hare discloses that the touch of a button on a TV receiver control device provides the rapid and direct switching between the standard television transmission and the related PC generated signal (col 14, line 16-18).

The use of a remote controller is a notoriously well known, widely used device which provides the viewer the ability to control (i.e. channel surf, turn-on/off, and to select the appropriate peripheral devices (i.e. DVD, VCR, PC)) desired by the user.

The examiner evidences a reference which explicitly recites such a conventional device, Perkes, US 6,373,503 which discloses the use of a remote control 40, which is used to select a display of either or both a TV broadcast signal or computer signal (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art to modify/utilize in Hare which discloses a TV display which is able to display TV signals and/or PC signals to utilize a remote controller as done by Perkes, which provides the viewer the ability to operate remotely from the TV and PC, while still providing to the viewer the ability to select the desired display (i.e. PC, TV or both) using the remote.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—previously listed, US 6,496,860 which discloses the connection of home network devices (i.e. TV, computer, VCR) via IEEE 1394 interface, in addition see previously cited

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references most notably US 5,850,340 US 6,724,351, US 6,285,406 and US 6,104,390 which all disclose a monitor/display which can display TV and/or PC signals. In the event the applicant deems the cited prior art (as notably pointed out above) does not anticipate or render claims 1-4 obvious, the examiner requests the applicant to point out the distinction between the applicant's invention and the notable references.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(571)-273-8300**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-HELP.

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also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.



B.P.Y

04 October 2006



BRIAN P. YENKE  
PRIMARY EXAMINER